IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 2140 of 2007

SMT.SUSHILA DEVI
V/S
MUNICIPAL BOARD,OF BHILWARA & ANR

Mr. HIMANSHU MAHESHWARI, for the appellant / petitioner

Dr.Sachin Acharya , for the respondent

Date of Order : 14.5.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

This writ seeks to challenge the order of the learned trial Court, whereby pending disposal of the application for temporary injunction, the trial Court has not granted any injunction.

It is informed by the learned counsel for the parties that the main temporary injunction application is fixed for consideration on merits finally before the learned trial Court today itself. In my view, in these circumstances, it would not appropriate for me to go into the merits of rights of either parties on the question of entitlement to get the temporary injunction or otherwise and it would be more appropriate to direct the learned trial Court to decide the main temporary injunction application itself on merits, if possible, today or at the utmost earliest opportunity.

Accordingly, the writ petition is disposed of. The learned trial Court is directed to decide the main temporary injunction application itself on merits, if

possible, today or at the utmost earliest opportunity.

(N P GUPTA),J.

scd